

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN

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Paul C. Drueke  
Mary Jo Drueke,

Plaintiffs,

v.

Case No. 2:17-cv-01061

Andrew L. Bass  
Christopher D. Bering  
Jeffrey P. Cowie,

**REQUEST FOR EXPEDITED  
HANDLING**

Defendants,

- and -

FirsTime Design Limited

Nominal Defendant.

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**MOTION FOR PRELIMINARY INJUNCTION**

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Pursuant to Rule 65(a) of the Federal Rules Civil Procedure, Plaintiffs Paul C. Drueke and Mary Jo Drueke (the “Druekes”), through their attorneys Quarles & Brady LLP, respectfully ask this Court to issue a preliminary injunction enjoining certain actions by Defendants Andrew Bass, Christopher Bering, and Jeffrey Cowie (collectively, “Defendants”). Defendants are the members of the Board of Directors of Nominal Defendant FirsTime Limited (“FirsTime”).

The Druekes are shareholders of FirsTime, and they have declared their intent to call a special shareholder meeting to vote on replacing Defendants as the directors of FirsTime. The Druekes identify a number of breaches of fiduciary duty by Defendants in their Complaint (dkt. #1), but in this motion for a preliminary injunction, they seek more limited relief. The Druekes respectfully ask the Court to issue a preliminary injunction that:

1. requires Defendants to recognize that the Druekes hold “at least 10 percent” of FirstTime’s stock for purposes of Wis. Stat. § 180.0702, and not to dilute the Druekes’ proportionate holdings by counting certain FirstTime shares that Defendants illegally caused to be issued and sold pursuant to a private placement announced on June 30, 2017;

2. enjoins Defendants against interfering with the Druekes’ statutory right to demand a special shareholders meeting by unlawfully conditioning that right on the Druekes’ agreement to pay all costs associated with the meeting unless they prevail on “each and every” matter that is voted upon during it;

3. enjoins Defendants against counting such newly issued shares for purposes of any shareholder vote conducted during the pendency of this action; and

4. enjoins Defendants against causing FirstTime to repurchase existing shares of its stock during the pendency of this action.

This motion is supported by the accompanying Brief in Support of Motion for Preliminary Injunction, Declaration of Paul C. Drueke, and Declaration of Peter Wierenga.

Dated August 25, 2017

QUARLES & BRADY LLP

/s/ Matthew J. Splitek

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